

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

HARDY INGRAM,	)	
Petitioner	)	
	)	
v.	)	C.A. NO. 04-40155-GAO
	)	
DAVID L. WINN, WARDEN	)	
Respondent	)	

MOTION FOR EXTENSION OF TIME

The United States, through the undersigned attorney, respectfully requests that the date for the government to file a response to Petitioner Hardy Ingram's self-prepared petition for writ of habeas corpus relief under 28 U.S.C. § 2241 be extended by an additional ninety days, up to and including April 8, 2005. As grounds for this motion, the government states as follows:

1. Hardy Ingram filed a 2241 motion dated August 13, 2004. On November 8, 2004, this Court issued an order directing the government to file a response within 60 days of receiving the order. The order was received by our office on November 10, 2004. The undersigned prosecutor, who recently joined the U.S. Attorney's Office, was assigned the matter on November 19, 2004. The undersigned AUSA is scheduled to begin a trial in Dedham Superior Court as a Special Assistant Attorney General in the case of *Commonwealth v. Timothy White*, Norfolk Superior Court No. 03-0154. That trial, scheduled to begin on January 24, 2004, is expected to last three to four weeks.

2. The defendant's petition appears to challenge his federal sentence out of the Northern District of Ohio. The defendant seems to claim that his pleas of guilty to state drug charges were used by the Federal Court in Ohio to classify him as a career offender "without a meaningful objection from defense counsel." He attaches transcripts from his state court plea hearings in support of his petition. Mr. Ingram's petition alludes to the waiver of his rights to a direct appeal and §2255 motion in a plea agreement filed in Federal Court.

4. The additional time requested is necessary so that the undersigned AUSA will have enough time to order the necessary files and/or transcripts, prior to filing a response, from Ohio.

WHEREFORE, the United States respectfully requests an extension of time for the government to file a response to Hardy Ingram's petition for relief pursuant to 28 U.S.C. § 2241, up to and including April 8, 2004.

Respectfully submitted,

MICHAEL J. SULLIVAN  
United States Attorney

By: /s/William F. Bloomer  
WILLIAM F. BLOOMER  
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

Boston, Massachusetts  
December 20, 2004

I, William F. Bloomer, Assistant U.S. Attorney, do hereby certify that I have served the copy of the foregoing, to Hardy Ingram, Federal Bureau of Prisons, Fort Devens/P-2, P.O. Box 879, Ayer, MA 01432.

/s/William F. Bloomer  
WILLIAM F. BLOOMER  
Assistant U.S. Attorney